

STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

Docket No.  
STEINER 00.01

In Re Application Of:  
WILSON ET AL.

JAN 14 2002

Serial No.  
09/896,375

Filing Date  
JUNE 29, 2001

Examiner

Group Art Unit

Invention:

IMPROVED FLAVORING COMPOSITION AND PROCESS FOR BREWING MALT BEVERAGES

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

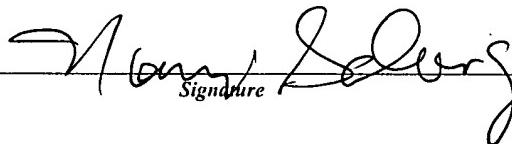
Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- Some items ~~Each item~~ of information contained in the accompanying Information Disclosure Statement ~~were~~ ~~was~~ first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

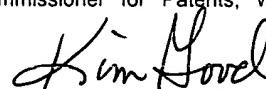
  
Signature

Dated: September 27, 2001

Norman P. Soloway  
Hayes, Soloway, Hennessey, Grossman & Hage, P.C.  
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Certificate of Mailing by First Class Mail

I certify that this document is being deposited on September 28, 2001 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



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KIM GOOD

Typed or Printed Name of Person Mailing Correspondence



1761 #4  
01-29-00  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: WILSON et al

Serial No.: 09/896,375

Filed: June 29, 2001

For: IMPROVED FLAVORING COMPOSITION AND PROCESS....

Group:

Examiner: DOCKET: STEINER 00.01

Assistant Commissioner of Patents & Trademarks  
Washington, D.C. 20231

PRIOR ART DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants hereby attach U.S. Patent Form PTOL-1449, including copies of the prior art references listed therein. The references were cited in the International Search Report dated September 4, 2001 of the corresponding PCT patent application and/or are discussed in the specification. Enclosed, also, is a copy of the International Search Report. The claims in the present application are believed to be patentably distinguished over these references.

This Prior Art Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

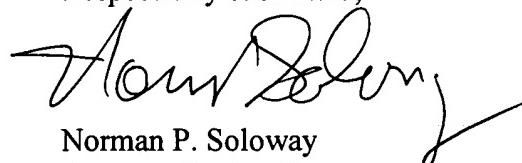
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In compliance with the requirements of 37 C.F.R. § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designated in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits a copy of the PCT International Search Report by a PCT Examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a PCT patent application on the same subject matter. No independent analysis of the references or the accuracy of the statement of the PCT Examiner has been made. However, it is noted that five of the references cited by the PCT Examiner are discussed and distinguished in the prior art discussion of the subject application.

The enclosed Prior Art Disclosure Statement is being submitted within three months of receipt of the PCT International Search Report, as certified in the attached Certification for Information Disclosure Statement. Therefore, we believe there are no fees involved with this Prior Art Disclosure Statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway  
Attorney for Applicant  
Registration No. 24,315

#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 28, 2001 at Tucson, Arizona.

By:



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